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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
**STANISLAW FLASINSKI**

Serial No.: **10/521,288**

Filed: **January 14, 2005**

Confirmation No. **5604**

For: **METHOD FOR USING ARTIFICIAL  
POLYNUCLEOTIDES AND  
COMPOSITIONS THEREOF TO  
REDUCE TRANSGENE SILENCING**

§  
§ Group Art Unit: **1638**  
§  
§ Examiner:  
§  
§ Atty. Dkt. No.: **11899.0235.PCUS00**  
§  
§ Client File No.: **38-21(53149)B**  
§  
§ History: PCT/US03/21551, filed July 10,  
§ 2003; 11899.0235.00PC00  
§  
§

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, on the date below:	
<u>June 8, 2007</u> Date	<u>Claudia A. Standiford</u> Claudia A. Standiford

Sir:

A corrected filing receipt is hereby requested in view of errors that appear in the original.

Specifically, the filing receipt (mailed March 19, 2007) erroneously states the pending application claims benefit of U.S. Application No. 60/396,655, filed July 18, 2002. The correct application from which the pending application claims benefit is "**60/396,665**." Attached hereto as Exhibit 1 is a copy of the first page of the PCT Publication No. WO 2004/009761 A2, which indicates the correct priority data.

Additionally, the filing receipt contains a misspelling of the word "artificial" in the title of the application. The corrected title should read: "Methods for using artificial polynucleotides and compositions thereof to reduce transgene silencing."

Please issue a corrected filing receipt to indicate these corrections. For the convenience of the Patent and Trademark Office, a copy of the original filing receipt with the changes noted thereon is attached hereto as Exhibit 2. Please date-stamp and return the enclosed postcard evidencing receipt of these materials.

Because these needed corrections are not due to any error by Applicants, no fees are believed to be due in connection with the filing of this document. However, should any fee be required for any reason in connection with this paper, the Commissioner is authorized to deduct said fee from Howrey LLP Deposit Account 08-3038/11899.0235.PCUS00.

Respectfully submitted,



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Date: June 8, 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/521,288	01/14/2005	1638	2550	1189.0235. PCUS00	27	11

CONFIRMATION NO. 5604

## UPDATED FILING RECEIPT



\*OC000000022944781\*

45607  
 HOWREY LLP  
 C/O IP DOCKETING DEPARTMENT  
 2941 FAIRVIEW PARK DRIVE SUITE 200  
 FALLS CHURCH, VA 22042

Date Mailed: 03/19/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Stanislaw Flasiński, Chesterfield, MO;

## Power of Attorney:

Patricia Kammerer--29775

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/21551 07/10/2003  
 which claims benefit of 60/396,665 07/18/2002

60/396,665

## Foreign Applications

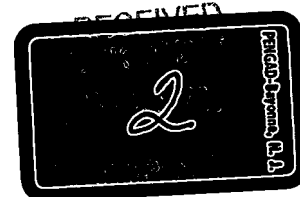
If Required, Foreign Filing License Granted: 05/12/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/521,288**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No



**Title**

Methods for using artificial polynucleotides and compositions thereof to reduce transgene silencing

**Preliminary Class**

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Title 37, Code of Federal Regulations, 5.11 & 5.15

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(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property  
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(43) International Publication Date  
29 January 2004 (29.01.2004)

PCT

(10) International Publication Number  
**WO 2004/009761 A2**

- (51) International Patent Classification<sup>7</sup>: C12N (74) Agent: KAMMERER, Patricia, A.; Howrey Simon Arnold & White, LLP, 750 Bering Drive, Houston, TX 77057-2198 (US).
- (21) International Application Number: PCT/US2003/021551
- (22) International Filing Date: 10 July 2003 (10.07.2003) (81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (25) Filing Language: English
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- (30) Priority Data: 60/396,665 18 July 2002 (18.07.2002) US
- (71) Applicant (*for all designated States except US*): MON-SANTO TECHNOLOGY LLC [US/US]; 800 N. Lindbergh Boulevard, St. Louis, MO 63167 (US).
- (72) Inventor; and (84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).
- (75) Inventor/Applicant (*for US only*): FLASINSKI, Stanislaw [PL/US]; 2325 Laurenwood Drive, Chesterfield, MO 63017 (US).

[Continued on next page]

(54) Title: METHODS FOR USING ARTIFICIAL POLYNUCLEOTIDES AND COMPOSITIONS THEREOF TO REDUCE TRANSGENE SILENCING

(57) Abstract: The materials and methods disclosed provide for polynucleotide molecules sufficiently divergent from polynucleotides naturally contained in plants, or polynucleotides previously introduced into plants as transgenes to permit trait stacking in plant breeding methods or plant transformation methods. The disclosure also provides for methods and compositions to detect the polynucleotides of the invention in plants.

Figure 1A

Figure 1B

Figure 1C

Figure 1D

Figure 1E

Figure 1F

Figure 1G

Figure 1H

WO 2004/009761 A2

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